

VZCZCXRO5199
PP RUEHDBU RUEHFL RUEHLA RUEHMRE RUEHROV RUEHSR
DE RUEHKB #1093 2430451
ZNY CCCCC ZZH
P 310451Z AUG 07
FM AMEMBASSY BAKU
TO RUEHC/SECSTATE WASHDC PRIORITY 3809
INFO RUCNCIS/CIS COLLECTIVE PRIORITY
RUCNOSC/OSCE COLLECTIVE PRIORITY

C O N F I D E N T I A L BAKU 001093

SIPDIS

SIPDIS

E.O. 12958: DECL: 08/31/2017
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [KCOR](#) [AJ](#)
SUBJECT: FARHAD AND RAFIG ALIYEV ATTEMPT TO DISMISS THEIR
LAWYERS; JUDGE RULES "NO"

REF: A. BAKU 664
[B](#). BAKU 1071

Classified By: POL/ECON CHIEF JOAN POLASCHIK PER 1.4(B,D)

[1](#)1. (C) In an August 28 trial session, former Minister of Economic Development Farhad Aliyev and his brother, former AzPetrol Head Rafig Aliyev, announced their intention to dismiss their defense attorneys. According to the Aliyev brothers, the courts' actions have made it impossible for their defense team to adequately defend them, by giving the lawyers insufficient time to review necessary documents and by generally being uncooperative. Elton Guliyev, Farhad's lead defense attorney, has voiced similar complaints with Emboffs since the pre-trial detention period (ref a). Judge Hafiz Pashayev ruled against the dismissal, stating that the brothers had been "pressured" into making such a decision. Pashayev's ruling comes after Farhad Aliyev complained that law enforcement officials pressured witnesses into giving certain testimonies (ref b). Farhad and Rafig Aliyev stand trial with 17 others on charges of corruption and embezzlement.

[1](#)2. (SBU) Since our last update (ref b), the trial, which began May 15, has progressed fairly routinely. On August 28, the former Minister stated that the media has violated his right to presumption of innocence by covering the trial proceedings as if he had "already been convicted." He blames the court's decision to allow cameras to film only three-minute segments of the proceedings as the cause of the biased coverage. "I know I have touched on certain people's interests," Aliyev said, "especially monopolies and corruption, but the court has to decide to what extent the media can interfere with the verdict." The prosecutor responded, stating that "journalists do not behave professionally," and said that the opposition papers only cover the defense's side of the story. Pashayev interrupted Isakhan Ashurov, one of Aliyev's defense attorneys, when he tried to respond, and then interrupted Rafig Aliyev, stating "This is a trial, not a discussion." He concluded by stating "We (the judges) don't watch TV; it doesn't affect our opinions."

[1](#)3. (C) On August 29, the prosecution concluded the presentation of its case, and the defense will begin its rebuttal on September 3. According to Ashurov, the delay is due to a request from the defense attorneys - and from Rafig Aliyev - for more time to review case materials before calling their witnesses to the stand. Separately, Ashurov said that Farhad Aliyev's family has still not been permitted to visit Aliyev in detention. We will continue to monitor the trial and report on developments, and engage the GOAJ regarding Aliyev's family's visitation rights.
DERSE